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portion, said opening configured to receive a correspondingly shaped formation on the door panel for retention thereon.

22. (new) A seal according to Claim 21 wherein said flap portion is configured for engagement with a barrier portion of the door panel.

Remarks

The Office Action mailed December 11, 2002 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Applicants and the undersigned wish to thank the Examiner for the courtesies extended them in a telephonic interview on February 11, 2003, in which the pending Claim 1 as amended on September 25, 2002 was discussed in light of Bertsch et al.

Claims 1 and 3-17 are now pending in this application. Claims 1 and 3-17 stand rejected. Claims 2 and 18-20 have been cancelled. Claims 21-22 are newly added. No additional fee is due for newly added Claims 21-22.

The rejection of Claims 1-20 under 35 U.S.C. § 102(b) as being anticipated by Bertsch et al. U.S. Patent No. 5,115,826 is respectfully traversed. Claims 2 and 18-20 have been cancelled.

Bertsch et al. describe a dishwasher door (14) including a lower extension (34) extending into a tub (28) of a dishwasher (10). Door extension (34) extends below the level of spraying in tub (28) to prevent leakage caused by spraying of the cleaning fluid. A spatter shield (40) is attached to a projecting rib or flange (42) on a side of the door opposite a fluid receiving chamber (32). Shield (40) includes a slot (44) for receiving rib (42). The shield tends to block a path of spatter over an edge (30) of the tub and is a tortuous path-type fluid seal. The shield is behind an inner door (24) during spraying of cleaning fluid and outside of the fluid receiving

chamber when the door is opened. The shield includes a flange (46) and channel (48) that tend to deflect spatter from the tub to return the spatter to the tub through a space (36) between a wall of the tub and the door lower extension. Bertsch et al. col. 3, line 63 to col. 4, line 50. As illustrated in the Figures, the door rib (42) extends inwardly from the inner door in a substantially perpendicular fashion from the door inner wall and includes opposite flat sides. The rib is fitted into a U-shaped slot (44) that includes inclined teeth (58) for retention of the rib.

Claim 1 recites a door panel assembly for a dishwasher including “a panel comprising a formation depending therefrom, said formation comprising a boot-shaped portion defining a heel portion, a toe portion substantially perpendicular to said heel portion, and a curved arch portion extending between said heel portion and said toe portion; and a seal member comprising a head portion and an opening therein complementary in shape to said formation, said formation received in said opening, said heel portion and said toe portion cooperating to retain said seal member”.

Bertsch et al. neither describe nor suggest a door panel assembly including a panel including a formation depending therefrom, the formation including a boot-shaped portion defining a heel portion, a toe portion substantially perpendicular to the heel portion, and a curved arch portion extending between the heel portion and the toe portion, and a seal member including a head portion and an opening therein complementary in shape to the formation, the formation received in the opening, the heel portion and the toe portion cooperating to retain the seal member. Specifically, Bertsch et al. do not describe or suggest a boot shaped formation on the panel and a seal with a complementary shaped opening. Further, Bertsch et al. neither describe nor suggest a formation having heel and toe portions that cooperate to retain the seal member. Rather, Bertsch et al. describe a rib that is received in a U-shaped slot in the seal and retained by teeth on the seal. In the office action, elements 42, 50, and 52, best shown in figure 3, are cited as a boot portion; however, elements 50 and 52 are part of the seal and are not on the panel as

Claim 1 recites. For the reasons set forth above, Claim 1 is submitted to be patentable over Bertsch et al.

Claims 3-7 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 3-7 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 3-7 likewise are patentable over Bertsch et al.

Claim 8 recites a door panel assembly for a dishwasher, the door panel assembly including “an inner door panel comprising a formation extending therefrom, said formation comprising at least one flat surface and a curved surface extending opposite said flat surface, said at least one flat surface defining a heel portion extending beyond said curved surface; and a seal member comprising a head portion and an opening therethrough, said opening receiving said formation and attaching said seal member to said formation”.

Bertsch et al. neither describe nor suggest a door panel assembly for a dishwasher, the door panel assembly including an inner door panel including a formation extending therefrom, the formation including at least one flat surface and a curved surface extending opposite the flat surface, the at least one flat surface defining a heel portion extending beyond the curved surface, and a seal member including a head portion and an opening therethrough, the opening receiving the formation and attaching the seal member to the formation. Specifically, Bertsch et al. do not describe or suggest a formation extending from the door panel and having a flat surface and a curved surface extending opposite the flat surface with the flat surface defining a heel portion that extends beyond the curved surface. Rather, Bertsch et al. describe an inner door with a projecting rib to which a spatter shield attaches (col. 4, lines 9-12). No part of the rib exhibits a flat surface and a curved surface opposite the flat surface with the flat surface defining a heel portion that extends beyond the curved surface as Claim 8 recites. For the reasons set forth above, Claim 8 is submitted to be patentable over Bertsch et al.

Claims 9-13 depend, directly or indirectly, from independent Claim 8. When the recitations of Claims 9-13 are considered in combination with the recitations of Claim 8, Applicants submit that dependent Claims 9-13 likewise are patentable over Bertsch et al.

Independent Claim 14 recites a door panel assembly including “a panel comprising a bottom portion, a formation extending therefrom, and a barrier portion extending therefrom in a spaced apart relationship to said formation; and a seal member comprising a head portion and a flap portion extending from said head portion and contacting a distal end of said barrier portion, said head portion comprising an opening therethrough for receiving said formation, said head portion engaged to said formation”.

Bertsch et al. neither describe nor suggest a door panel assembly including a panel including a bottom portion, a formation extending therefrom, and a barrier portion extending therefrom in a spaced apart relationship to the formation, and a seal member including a head portion and a flap portion extending from the head portion and contacting a distal end of the barrier portion, the head portion including an opening therethrough for receiving the formation, the head portion engaged to the formation. Specifically, Bertsch et al. do not describe or suggest a seal member including a head portion and a flap portion extending from the head portion and contacting a distal end of the barrier portion. Rather, the seal or spatter shield in Bertsch makes contact with the door panel only at the point of attachment to the rib as shown in figures 2 and 4. No part of the seal contacts a distal end of the barrier portion of the panel as Claim 14 recites. For the reasons set forth above, Claim 14 is submitted to be patentable over Bertsch et al.

Claims 15-17 depend, directly or indirectly, from independent Claim 14. When the recitations of Claims 15-17 are considered in combination with the recitations of Claim 14, Applicants submit that dependent Claims 15-17 likewise are patentable over Bertsch et al.

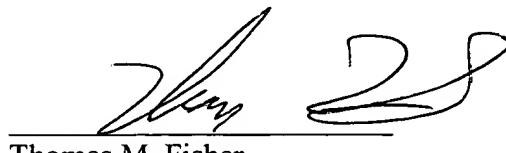
For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1-20 be withdrawn.

With respect to newly added Claim 21, Applicants respectfully submit that none of the cited art describes a seal having a head portion and a flap portion extending from the head portion, the head portion defining a boot-shaped opening having a heel portion, a toe portion angularly displaced from the heel portion, and a curved arch portion extending between the heel portion and the toe portion, the opening configured to receive a correspondingly shaped formation on the door panel for retention thereon. Therefore, Applicants submit that Claim 21 is patentable over the cited art.

Newly added Claim 22 depends from independent Claim 21. When the recitations of this claim is considered in combination with the recitations of Claim 21, Applicants submit that Claim 22 likewise is patentable over the cited art.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



Thomas M. Fisher
Registration No. 47,564
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kiesler et al. :
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Filed: August 31, 2001 : Examiner: Redman, Jerry E.
For: DISHWASHER BOTTOM :
DOOR SEAL :

SUBMISSION OF MARKED UP CLAIMS

Box: AF
Hon. Commissioner for Patents
Washington, D.C. 20231

In furtherance of the response to the Office Action dated December 11, 2002 submitted herewith, Applicants hereby submit marked up versions of the amendments made therein.

IN THE CLAIMS

Please cancel Claims 2 and 18-20.

1. (twice amended) A door panel assembly for a dishwasher[, said door assembly] comprising:

a panel comprising a formation depending therefrom, said formation comprising a boot-shaped portion defining a heel portion, a toe portion substantially perpendicular to said heel portion, and a curved arch portion extending between said heel portion and said toe portion; and

a seal member comprising a head portion and an opening therein complementary in shape to said formation, said formation received in said opening, said heel portion and said toe portion cooperating to retain said seal member.

7. (twice amended) A door panel assembly in accordance with Claim 6 wherein said formation depends from a bottom portion of said inner door panel[, a portion of said formation extending substantially parallel to said barrier portion].

8. (twice amended) A door panel assembly for a dishwasher, said door panel assembly comprising:

an inner door panel comprising a formation extending therefrom, said formation comprising at least one flat surface and a curved surface extending opposite said flat surface, said at least one flat surface defining a heel portion extending beyond said curved surface; and

a seal member comprising a head portion and an opening therethrough, said opening receiving said formation and attaching said seal member to said formation.

10. (once amended) A door panel assembly in accordance with Claim 9, [said boot portion further comprising a] wherein said heel portion [extending] extends from said flat rear edge.

11. (twice amended) A door panel assembly in accordance with Claim 10, said [formation comprising a] boot portion[, said curved surface] comprising a curved arch portion extending from said heel.

Please add the following as new Claims 21 and 22.

21. (new) A seal for a door panel, said seal comprising:

a head portion and a flap portion extending from said head portion, said head portion defining a boot-shaped opening having a heel portion, a toe portion angularly displaced from said heel portion, and a curved arch portion extending between said heel portion and said toe portion, said opening configured to receive a correspondingly shaped formation on the door panel for retention thereon and said flap portion configured for engagement with a barrier portion of the door panel.

22. (new) A seal according to Claim 21 wherein said flap portion is configured for engagement with a barrier portion of the door panel.

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Thomas M. Fisher
Registration No. 47,564
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070